

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI

GARY M.,	:	Case No. 1:23-cv-665
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	Magistrate Judge Kimberly A. Jolson
v.	:	
	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 16)**

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The Court has reviewed the Report and Recommendation of United States Magistrate Judge Kimberly A. Jolson (Doc. 16), to whom this case is referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** said Report and Recommendation in its entirety and **ORDERS** the following:

1. The parties' Joint Stipulation for an Award of Attorney's Fees (Doc. 15) is **GRANTED**;
2. The Commissioner shall pay Plaintiff's attorney fees in the amount of \$800.00 under the Equal Access to Justice Act ("EAJA");
3. The Judgment Fund administered by the United States Treasury shall reimburse Plaintiff for the filing fee of \$402.00;
4. Counsel for the parties shall verify whether Plaintiff owes a preexisting debt to

the United States subject to offset, consistent with *Astrue v. Ratliff*, 560 U.S. 586 (2010). If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff; and

5. The case shall remain terminated on the docket of this Court.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By:   
JUDGE MATTHEW W. McFARLAND